

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:96-CR-132-F-1

UNITED STATES OF AMERICA,

)

v.

)

JOHNNY RAY ADAMS
Defendant.

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O R D E R

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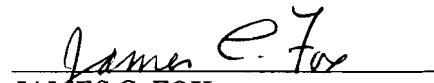
Johnny Ray Adams ("Adams") has filed another motion seeking reduction in his sentence pursuant to 18 U.S.C. § 3582(c)(2). Specifically, he moves for reconsideration of this court's order [DE-56] of February 23, 2011, denying his motion for reduction of sentence [DE-53] and motion to appoint counsel [DE-54] in light of the amendments to the advisory sentencing guidelines, the factors in § 3553(a), the 2010 amendment to 21 U.S.C. § 841 reducing the disparity between cocaine and cocaine base, and the ruling in *Pepper v. United States*, 131 S. Ct. 1229 (March 2, 2011).

Adams was sentenced in 1996. The legal bases for his motions for relief do not apply to his sentence, as none have been made retroactive on collateral review. Adams, as a career offender, did not qualify for retroactive application of the 2007 advisory guideline crack amendment.

The court has considered Adams's latest filing. However, for the reasons stated herein and in the prior post-conviction orders in this case, Adams's motion for reconsideration [DE-59] is DENIED.

SO ORDERED.

This the 11th day of March, 2011.



JAMES C. FOX
Senior United States District Judge